

42579

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	PATENT
	:	
STEPHEN EWER ET AL.	:	
	:	
Serial No.: New Application	:	
	:	
Filed: Herewith	:	
	:	
For: RACEWAY FITTING WITH OR	:	
WITHOUT FITTING BASE	:	

**PRELIMINARY AMENDMENT**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Please amend the above-identified application as follows:

In the Specification

Please substitute the following new paragraph for the first full paragraph on page 1:

Related Applications

This application is a divisional of U.S. Patent Application Serial No. 09/784,333 filed on February 16, 2001, which is a continuation of U.S. Patent Application Serial No. 09/512,674 filed on March 8, 2000, now abandoned, the subject matter of each of which is herewith incorporated by reference.

Please substitute the following paragraph for the first paragraph on page 5, lines 1-13:

Raceway 10 is generally a plastic, elongated member that holds wiring to be delivered throughout a room, such as an office, protecting and hiding the unattractive wiring from view. Raceway 10 includes a raceway base 16 mounted to a surface by fasteners 17 (see

FIG. 3) with a raceway cover 18 attached thereto, forming an enclosure for holding the wiring. Specifically, raceway base 16 includes a bottom wall 20 and opposing sidewalls 22 extending perpendicularly from bottom wall 20 with each sidewall 22 having an inward lip 24 for engaging raceway cover 18, as seen in FIGS. 1 and 2. First and second dividing walls 26 also extend from bottom wall 20 equal distant from each sidewall 22, respectively, forming three channels, two outer channels 30 and a middle channel 22, each having substantially the same dimensions. The multi-channels allow raceway 10 to carry any combination of wiring, such as voice, data or power wiring. Each outer channel 30 each includes a track 34 that both connects to base fitting 14 and provides a guide for extending fastener 17 through raceway 10 when mounting raceway 10.

Please substitute the following paragraph for the first full paragraph on page 6, lines 5-10:

Similarly, third and fourth curved walls 84 and 86 also extend along inner surface 62 between ends 57 and 58 and spaced from first and second walls 68 and 70, forming a first segment 88 of a second groove 90. Also a third guide rib 92 extends from second end 58 to joint 59 forming a second segment 94 of second groove. Likewise, a fourth guide rib 96 extends from first end 57 to joint 59 abutting third rib 92, forming a third segment 98 of second groove 90.

Please substitute the following paragraph for the last pending paragraph beginning on page 8, at lines 31-34, and ending on page 9, at lines 1-7:

Referring to FIGS. 9-11, an internal elbow or cover fitting 138, according to a second embodiment of the present invention, includes a top 140 (see FIG. 11) and first and second opposing sides 144 and 146 extending from opposing ends of cover fitting 138, similar to cover fitting 12. However, unlike top 50 of cover fitting 12, top 140 is formed of one section

having a convex inner surface 148 and a concave outer surface 150. First and second sides 144 and 146 extend from inner surface 148 and are curved to match the curvature of top 140. This allows cover-fitting 138 to connect two raceways 10 when they converge to a corner forming an acute angle 162 therebetween, since the curvature of top 140 and first and second sides 144 and 146 corresponds to the acute angle 162, as best seen in FIGS. 9 and 10, such that top 140 covers each raceway base 16 and first and second sides 144 and 146 overlap the sidewalls 22 of each raceway base 16.

#### In the Claims

Please cancel claims 1-12, and 14.

Please add new claims 21-30:

21. A method of connecting two raceways, comprising the steps of:

joining respective first ends of first and second raceways at a first junction area so that the first ends of the first and second raceways engage and form a miter joint at the first junction area;

coupling a first cover fitting over the first junction area so that a portion of the first cover fitting engages each first end, respectively, of the first and second raceways;

joining respective a second end of the second raceway and a first end of third raceway at a second junction area so that the second end of the second raceway is spaced from the first end of the third raceway at the second junction area with a curved base disposed therebetween; and

coupling a second cover fitting over the second junction area so that a portion of the second cover fitting engages the first end of the second raceway and the second end of the third raceway, whereby said first and second cover fittings are substantially identical.

22. A method of connecting two raceways, comprising the steps of:

joining respective ends of first and second raceways at a first junction areas so that the ends of the first and second raceways engage and form a miter joint at the first junction area;

coupling a first cover fitting over the first junction area so that a portion of the first cover fitting engages each end, respectively, of the first and second raceways;

joining respective ends of third and fourth raceways at a second junction area so that the ends of the third and fourth raceways are spaced from one another at the second junction area with a curved base disposed therebetween; and

coupling a second cover fitting over the second junction area so that a portion of the second cover fitting engages each end of the third and fourth raceways, respectively, whereby said first and second cover fittings are substantially identical.

23. A method according to claim 22, further comprising the steps of:

joining the respective ends of the first and second raceways so that the first raceway is substantially perpendicular to said second raceway; and

joining the respective ends of the third and fourth raceways so that the third raceway is substantially perpendicular to the fourth raceway.

24. A method according to claim 22, further comprising the steps of:

removing a section of a cover of each of the third and fourth raceways, respectively, and exposing corresponding sections of a raceway base of each of the third and fourth raceways, respectively, prior to coupling the second cover fitting to the second junction area, so that the exposed sections of the bases of the third and fourth raceways, respectively, engage portions of the second cover fitting.

25. A method according to claim 22, further comprising the step of:  
completely covering the curved base between the third and fourth raceways with the second cover fitting.

26. A method according to claim 22, further comprising the steps of:  
coupling the curved base with a portion of the second cover fitting.

27. A method according to claim 26, further comprising the steps of:  
coupling the curved base with the respective ends of the third and fourth raceways.

28. A method according to claim 22, further comprising the steps of:  
mounting the first and second raceways to a first support surface;  
mounting the third and fourth raceways to a second support surface; and  
mounting the curved base to the second support surface between the respective ends of the third and fourth raceways.

29. A method according to claim 28, further comprising the step of:  
placing a first set of wires in each of the first and second raceways, respectively.

30. A method according to claim 29, further comprising the step of:  
placing a second set of wires in each of the third and fourth raceways, respectively,  
wherein said second set of wires has a maximum bend radius and said curved base defines a radius is equal to or greater than the maximum bend radius of the second set of wires.

## REMARKS

This application is a divisional application of U.S. Patent Application Serial No. 09/784,333 filed on February 16, 2001, which is a continuation of U.S. Patent Application Serial No. 09/512,674 filed on March 8, 2000, filed in accordance with 35 U.S.C. 120. By this Amendment, claims 1-12 and 14 are canceled and claims 21-30 are added, leaving claims 13 and 15-29 pending with claims 13, 21 and 22 being independent.

### Specification

The specification is amended to indicate that this application is a divisional application of U.S. Patent Application Serial No. 09/784,333 filed on February 16, 2001, which is a continuation of U.S. Patent Application Serial No. 09/512,674 filed on March 8 and now abandoned. Additionally, the specification is amended to correct minor informalities. A marked up version of the amendments is attached herewith.

### Support for Claims 13, and 15-20 and New Claims 21-29

Independent claim 13 recites a method of connecting two substantially identical cover fittings to a raceway including the steps of “placing the first cover fitting over a junction point of two raceway bases, the junction point being a miter joint” and “placing the second cover fitting over a curved base fitting coupled between two raceway bases.”

Independent claim 21 recites a method of connected raceways including the steps of joining first and second raceways at a first junction area forming a miter joint and coupling a first cover fitting to the raceways at the first junction area so that a portion of cover fitting engages the first and second raceways. Claim 21 further recites joining the second raceway and a third raceway at a second junction area with the respective ends of the raceways being spaced from one another and a curved base being located therebetween, and coupling a

second cover fitting at the second junction area so that a portion of the cover fitting engages the second and third raceways, whereby the first and second cover fittings are substantially identical.

Independent claim 22 recites a method of connecting raceways including joining first and second raceways at a first junction area forming a miter joint, and coupling a first cover fitting with the first and second raceways at the first junction area, so that a portion of the cover fitting engages the first and second cover fitting. Claim 22 further recites joining third and fourth raceways at a second junction area with a curved base between the third and fourth raceways, and a coupling a second cover fitting with the third and fourth raceways at the second junction area so that the second cover sitting engages the third and fourth raceways.

The steps recited in the independent claims 13, 21, and 22 are fully supported in the specification. For example, on page 4, last paragraph, and on page 12, first paragraph, the specification describes two substantially identical cover fittings that connect two mitered raceways or connect two non-mitered raceways with a curved base therebetween. Figures 1 and 3 clearly show a cover fitting connecting two mitered raceways, and Figures 2 and 4 clearly show a cover fitting connecting two raceways with a curved base therebetween. Thus, it is clear by this language and Figures 1-4 that a first cover fitting can be placed on a miter joint of two raceway bases, and a second cover fitting can be placed on a non-miter joint of two raceway bases, with the first and second cover fittings being substantially identical.

Therefore, there is clear support in the specification for independent claim 13 and new independent claims 21 and 22. Additionally, there is clear support for dependent claims 15-20 and 23-29 in the specification and the drawings.

\* \* \*

Prompt and favorable action is therefore respectfully solicited.

Respectfully submitted,

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MARKED-UP VERSION OF AMENDMENT IN S.N. 09/784,333In the Specification:

On page 1, line 9, delete “This application is a continuation of U.S. Patent Application Serial No. 09/521,674 filed on March 8, 2000, the subject matter of which is herewith incorporated by reference” and insert -- This application is a divisional of U.S. Patent Application Serial No. 09/784,333 filed on February 16, 2001, which is a continuation of U.S. Patent Application Serial No. 09/512,674 filed on March 8, 2000, now abandoned, the subject matter of each of which is herewith incorporated by reference.--

On page 5, line 3, after “fasteners 17” insert -- (see FIG. 3) --.

On page 6:

line 7, change “first end 57” to -- second end 58 --; and

line 9, change “second end 58” to -- first end 57 --.

On page 8, line 32, after “a top 140” insert -- (see FIG. 11) --.